

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION**

RICHARD LOGAN, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

PROPETRO HOLDING CORP., DALE
REDMAN, JEFFREY SMITH, IAN
DENHOLM, SPENCER D. ARMOUR, III,
SCHUYLER E. COPPEDGE, STEPHEN
HERMAN, MATTHEW H. HIMLER,
PETER LABBAT, GOLDMAN, SACHS &
CO., BARCLAYS CAPITAL INC.,
CREDIT SUISSE SECURITIES (USA)
LLC, J.P. MORGAN SECURITIES LLC,
EVERCORE GROUP L.L.C., RBC
CAPITAL MARKETS, LLC, PIPER
JAFFRAY & CO., RAYMOND JAMES &
ASSOCIATES, INC., DEUTSCHE BANK
SECURITIES INC., JOHNSON RICE &
COMPANY L.L.C., and TUDOR,
PICKERING, HOLT & CO. SECURITIES,
INC.,

Defendants

CASE 7:19-CV-00217

**STIPULATION AND PROPOSED
ORDER**

WHEREAS, on September 16, 2019, Plaintiff Richard Logan (“Plaintiff”), individually and on behalf of all others similarly situated, filed a complaint (the “Complaint”) in the above-captioned action against Defendants ProPetro Holding Corp., Dale Redman, Jeffrey Smith, Ian Denholm, Spencer D. Armour, III, Schuyler E. Coppedge, Stephen Herman, Matthew H. Himler,

Peter Labbat, Goldman, Sachs & Co., Barclays Capital Inc., Credit Suisse Securities (USA) LLC, J.P. Morgan Securities LLC, Evercore Group L.L.C., RBC Capital Markets, LLC, Piper Jaffray & Co., Raymond James & Associates, Inc., Deutsche Bank Securities Inc., Johnson Rice & Company L.L.C., and Tudor, Pickering, Holt & Co. Securities, Inc., (collectively, “Defendants”);

WHEREAS, after the filing of a timely motion for appointment as Lead Plaintiffs, on December 16, the court appointed Nykredit Portefølje Administration A/S, Oklahoma Firefighters Pension and Retirement System, Oklahoma Law Enforcement Retirement System, Oklahoma Police Pension and Retirement System, and Oklahoma City Employee Retirement System as Lead Plaintiffs and appointed Bernstein Litowitz Berger & Grossmann LLP and Grant & Eisenhofer P.A. as Lead Counsel; and

WHEREAS, Lead Plaintiffs intend to file a complaint;

WHEREAS, Defendants intend to move to dismiss the contemplated complaint;

WHEREAS, the agreed-upon schedule below will promote judicial efficiency, is not for the purpose of delay, and will not cause prejudice to any party;

IT IS HEREBY stipulated by and agreed among the parties, subject to the Court’s approval, as follows:

1. Each Defendant hereby acknowledges that it either has been served, or as of the date of the stipulation submitted to the Court on November 12, 2019 (ECF No. 31), and by this stipulation, accepts service of the Complaint in this action, provided, however, that the acceptance of service and entry into this Stipulation shall not waive, and Defendants expressly preserve, any rights, claims or defenses, including, but not limited to, all defenses relating to jurisdiction, other than a defense as to the sufficiency of service of the summons and Complaint and the form of the summons.

2. For purposes of Rule 5(b) of the Federal Rules of Civil Procedure and Rule CV-5 of the Local Civil Rules, the Parties agree that they shall serve papers, including pleadings, discovery requests, and trial materials, on each other through e-mail or ECF, as applicable, except to the extent that transmission of any such documents electronically is impractical, in which event service shall be made by hand or through overnight delivery to counsel of record for the receiving party.

3. The briefing schedule for the filing of the Lead Plaintiffs' Complaint and any Motions to Dismiss shall be as follows:

- a) Lead Plaintiffs shall file their Amended Complaint on or before **February 13, 2020**;
- b) Defendants shall respond and file any Motions to Dismiss on or before **April 16, 2020**;
- c) Lead Plaintiffs' opposition shall be filed on or before **May 21, 2020**; and
- d) Defendants' reply shall be filed on or before **June 19, 2020**.

DATED: December 26, 2019

MARTIN & DROUGHT, P.C.

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DATED: December 26, 2019

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Deutsche Bank Securities Inc., Johnson
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Attorney for Defendant Jeffrey Smith

ORDER

IT IS SO ORDERED.

Dated: _____

David Counts
United States District Judge